



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18258 of 2022 and
W.M.P.(MD)No.13329 of 2022

K.Mohammed Zakkariah

... Petitioner

Vs.

1. The Assistant Executive Engineer,
O/o.The Assistant Executive Engineer,
Thiruppalai Electricity Distribution Circle,
TANGEDCO,
Tiruppalai, Madurai – 625 014.

2. The Assistant Engineer,
Thiruppalai Electricity Distribution Circle,
TANGEDCO,
Tiruppalai, Madurai – 625 014.

3. The Junior Engineer,
Public Works Department /
Water Resources Organisation,
Irrigation Section No.2,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to restore the meter box and the electricity connection to the petitioner's dwelling house situated at an extent of 574 sq.ft. In S.No.9/5 in Door No.5-6-67, V.O.C.Nagar, S.Alangulam Village, Madurai North Taluk, Madurai District, within the time frame stipulated by this Court.



For Petitioner : Mr.T.Lajapathi Roy

For R-1 & R-2 : Mr.S.Deenadhayalan,
Standing counsel.

For R-3 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner wants restoration of electricity connection. Since the third respondent has committed encroachment, the electricity connection came to be cut off. It appears that the petitioner's house is on his patta land and the compound wall is put up on a Government poramboke. The petitioner has no objection for the survey to be conducted.

3. The third respondent is directed to apply to the jurisdictional Tahsildar for conducting survey. If according to the survey, the petitioner's compound wall has been put up on any encroached property, the same shall be removed. Subject



to this, the TANGEDCO is directed to restore the petitioner's electricity connection subject to fulfilment of the usual formalities.

4. The jurisdictional Tahsildar is directed to act on the said application and conduct survey forthwith and without any delay. This order is passed after obtaining the consent of the writ petitioner through his counsel. If the compound wall alone is put up on the encroached land, it has to be demolished. If the house is put up on the encroached land, then due process of law will have to be initiated. This writ petition stands allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

12.08.2022

Index : Yes / No

Internet : Yes/ No

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4

W.P.(MD)NO.18258 OF 2022

G.R.SWAMINATHAN,J.

PMU

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5

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